

AGING, DEPARTMENT ON[17]

Adopted and Filed

Rule making related to physician assistants

The Department on Aging hereby amends Chapter 7, “Area Agency on Aging Service Delivery,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 17A.3 and 231.14.

State or Federal Law Implemented

This rule making implements, in whole or in part, 2022 Iowa Acts, House File 803.

Purpose and Summary

2022 Iowa Acts, House File 803, made changes to allow physician assistants to perform duties that are within their scope of practice but that statute or rule only allowed physicians or other specified medical professionals to perform. Division II of the legislation directed the Department to amend subrule 7.18(3) to reference both physicians and physician assistants. This rule making brings the Department’s rules into compliance with the changes to the Iowa Code.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on October 5, 2022, as **ARC 6591C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Department on December 8, 2022.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 17—Chapter 11.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on February 15, 2023.

The following rule-making action is adopted:

Amend subrule 7.18(3) as follows:

7.18(3) A written physician's or physician assistant's order for each older individual requesting a therapeutic diet shall be obtained prior to the older individual's receipt of the meal and kept on file where the meal is prepared and served. The order shall be interpreted by a licensed dietitian and the individual's physician or physician assistant.

[Filed 12/12/22, effective 2/15/23]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 1/11/23.